

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

UNITED STATES OF AMERICA	)	
	)	
v.	)	CASE NO.: 3:20-CR-21
	)	
ANMING HU	)	JUDGES VARLAN/POPLIN
	)	
	)	
	)	

**MOTION TO DIRECT THE GOVERNMENT TO PRODUCE  
ANY RULE 404(B) TYPE EVIDENCE OF OTHER CRIMES OR BAD ACTS  
BY THE DEFENDANT**

Now comes the Defendant and moves this Honorable Court for an order directing the Government to disclose and produce any evidence of crimes or bad acts outlined in Rule 404(b) of the Federal Rules of Evidence. In addition to general 404(b) evidence, this request specifically asks the Government to produce any evidence of other crimes or bad acts involving the Defendant's publication procurement or use of the publications the Defendant has created or been part of creating during his employment with the University of Tennessee.

The Government has listed many publications and other documents authored by the Defendant, or participated in by the Defendant, in the Government's Indictment and Affidavits in Support of Search Warrants. The Government's portrayal of the Defendant producing or collaborating in these scientific publications and articles is insinuated as a crime or bad act by the Defendant.

If the Government is going to present as evidence any of the scientific work and publications the Defendant has been involved in throughout the last ten years to the jury as a bad act or other crime, the Defendant requests that proof of such allegation be provided to the

Defendant and provided to the Court prior to the Government making such allegations in its case in chief. The Defendant requests a hearing prior to this type of evidence being presented to the Jury.

Respectfully submitted this 6<sup>th</sup> day of July, 2020.

s/ A. Philip Lomonaco  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 6, 2020 a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular United States Mail, postage prepaid. Parties may access this filing through the Court's electronic filing system.

By:/s/ A. Philip Lomonaco